

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS**

Civil Action No. 4:22-cv-00249-ALM

DIVYA GADASALLI, an individual,
Plaintiff,

v.

JERRY BULASA, an individual;
DONG LIAN, an individual; DANYUN LIN, an individual;
TD BANK, N.A., a national banking association;
ABACUS FEDERAL SAVINGS BANK, a federal savings bank;
BINANCE HOLDINGS, LTD. d/b/a Binance, a foreign company; and
POLONIEX, LLC, a Delaware limited liability company;
Defendants.

**PLAINTIFF'S MOTION ON CONSENT TO
ENLARGE BRIEFING DEADLINES REGARDING
DEFENDANT BINANCE HOLDINGS, LTD.'S
MOTION TO DISMISS AMENDED COMPLAINT**

Plaintiff DIVYA GADASALLI, an individual ("Plaintiff"), by and through undersigned counsel, pursuant to Fed. R. Civ. P. 7 and E.D. Tex. Local Rule CV-7(h), **and with the consent of Defendant BINANCE HOLDINGS, LTD. d/b/a Binance, a foreign company ("Defendant BINANCE")**, respectfully moves this Honorable Court for entry of an Order extending through and including **July 13, 2022** Plaintiff's deadline to file a memorandum of law in response to Defendant BINANCE's Motion to Dismiss the Amended Complaint and extending through **July 27, 2022** Defendant BINANCE's deadline to file a reply memorandum. In support of this Motion, Plaintiff states as follows:

1. On March 28, 2022, Plaintiff filed her Complaint in the instant action [Docket Entry No. ("DE") 1], which Plaintiff subsequently amended with her Amended Complaint on May 20, 2022 [DE 24].

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2. On June 20, 2022, Defendant BINANCE filed a Motion to Dismiss the Amended Complaint (the “Motion to Dismiss”). [DE 32].

3. The Motion to Dismiss presents a wide variety of intricate legal arguments concerning jurisdictional and other substantive topics and will require an extensive response be prepared to assist the Court in making a proper ruling on the Motion.

4. Due to the complexity of the Motion -- as well as the press of unrelated business for undersigned counsel -- counsel for Plaintiff has requested, and counsel for Defendant BINANCE has consented to, a brief enlargement of time through and including **July 13, 2022** for Plaintiff to file a response memorandum to address the arguments raised in the Motion to Dismiss.

5. Counsel for the parties have also agreed that Defendant BINANCE may have an enlargement of time through and including **July 27, 2022** for Defendant BINANCE to file a reply memorandum addressing the arguments presented in Plaintiff’s opposition to the Motion to Dismiss.

6. In light of the foregoing, Plaintiff respectfully requests, with Defendant BINANCE’s consent, that the Court extend the parties’ briefing deadlines on the Motion to Dismiss thusly:

July 13, 2022 Plaintiff’s deadline to file Response Memo

July 27, 2022 Defendant BINANCE’s deadline to file Reply Memo

7. This enlargement of time is requested to allow the parties and their counsel to properly prepare and present the parties’ positions on the legal matters in dispute in this action.

8. This is the first motion for enlargement of time to prepare, file, and serve memoranda of law in connection with Defendant BINANCE’s Motion to Dismiss.

9. This motion is made in good faith, is not sought for the purpose of delay, and will not prejudice any party.

WHEREFORE, Plaintiff DIVYA GADASALLI, with the consent and approval of Defendant BINANCE HOLDINGS, LTD. d/b/a Binance, respectfully requests that the Court enter an Order:

- (a) extending through and including **July 13, 2022** Plaintiff's deadline to file a response memorandum to address the arguments raised in Defendant BINANCE's Motion to Dismiss;
- (b) extending through and including **July 27, 2022** Defendant BINANCE's deadline to file a reply memorandum addressing the arguments presented in Plaintiff's opposition to the Motion to Dismiss; and
- (c) granting such other relief as the Court deems just and appropriate.

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE CV-7(h)

In accordance with Rule CV-7(h) of the Local Rules of the United States District Court - Eastern District of Texas, the undersigned attorneys for Plaintiff certify that in good faith, before filing this motion, they communicated with counsel for Defendant BINANCE, who consented to the relief requested herein.

Respectfully submitted,

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By: /s/ David C. Silver

DAVID C. SILVER

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Counsel for Plaintiff Divya Gadasalli

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was electronically filed with the Clerk of Court on this 6th day of July 2022 by using the CM/ECF system and that a true and correct copy will be served via electronic mail to: **SANTOSH ARAVIND, ESQ.**, SCOTT DOUGLASS MCCONNICO LLP, *Counsel for Binance Holdings, Ltd.*, 303 Colorado Street - Suite 2400, Austin, TX 78701, E-mail: SAravind@ScottDoug.com; and **KAREN R. KING, ESQ.**, MORVILLO ABRAMOWITZ GRAND IASON & ANELLO, P.C., *Counsel for Defendant Binance Holdings, Ltd.*, 565 Fifth Avenue, New York, New York 10017, E-mail: kking@maglaw.com.

/s/ David C. Silver

DAVID C. SILVER